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INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RUEHBY/AMEMBASSY CANBERRA 1083  
RUEHNE/AMEMBASSY NEW DELHI 4631  
RUEHUL/AMEMBASSY SEOUL 8171  
RUEHKO/AMEMBASSY TOKYO 5732  
RUEAIIA/CIA WASHDC  
RUEHGV/USMISSION GENEVA 3612  
RUEKJCS/DIA WASHDC  
RHHMUNA/CDR USPACOM HONOLULU HI  
RHEHNSC/NSC WASHDC  
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RUEHBS/USEU BRUSSELS  
RUCNDT/USMISSION USUN NEW YORK 1486  
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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000286

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STATE FOR EAP, IO AND DRL  
DEPT PLEASE PASS TO DEPT OF LABOR ILAB OFFICE  
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E.O. 12958: DECL: 04/24/2018

TAGS: [ELAB](#) [PHUM](#) [PGOV](#) [BM](#)

SUBJECT: BURMA: ILO TO RAISE FORCED LABOR WITH THE MILITARY

REF: A. RANGOON 168

[1](#)B. RANGOON 127

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Classified By: Economic Officer Samantha A. Carl-Yoder for reasons 1.4  
(b and d)

[1](#)1. (C) Summary. Forced labor is a significant problem in Burma, and the military, who are the worst perpetrators, are not held accountable. While the ILO Liaison Office primarily works with the Ministry of Labor, it recently sought to expand its mandate to include the military. Seeking to improve the military's understanding of labor rights and child soldier issues, the ILO will host two training sessions for military officers in May. Approximately 80 military officials will attend these sessions in Rangoon, which will focus on basic human rights and human worth, definitions of forced labor and child forced labor, and best practices for military recruitment. Since March, the ILO has received 2 forced labor complaints and more than 10 child soldier cases.

GOB response to these cases has been slow, due in part to Deputy Labor Minister General Tin Tun's lack of understanding of basic labor principles. While the ILO had planned to conduct two labor assessment trips in April, the GOB has "postponed" them until after the May 10 referendum. End Summary.

Teaching the Military About Forced Labor  
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[1](#)2. (C) Forced labor continues to be a significant problem in Burma. ILO Liaison Officer Steve Marshall told us that while the GOB addressed forced labor issues on the civilian side in 2007, it did little to stop the military's use of forced labor and child soldiers. Taking the opportunity to expand its mandate to include working with the military on labor issues, Marshall, in conjunction with UNICEF and the Burmese

Department of Social Welfare, proposed to hold training for military officials on forced labor and child soldier issues. The Adjutant General agreed; the ILO will host two training classes for military officials in May.

13. (C) Both classes will focus on basic human rights and human worth, definitions of forced labor and forced child labor, and child soldier issues. The first class, which begins April 28, will be a train-the-trainers course for 40 military recruitment officers. During the five-day course, Marshall, UNICEF officials, and representatives from the Department of Social Welfare will introduce best practices to prevent recruitment of children. Marshall noted that because the local military offices keep poor recruitment records, he will encourage the military to keep better records, including proof of age for any new soldiers. The second class, which targets 40 entry-level and mid-level officers, will focus on forced recruiting with regard to children. Marshall views these training sessions as a first step in order to develop military understanding of basic forced labor.

#### Child Soldier Cases on the Rise

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14. (C) According to Marshall, the ILO office continues to receive forced labor complaints, although the majority of cases deal with child soldiers rather than basic forced labor. Since March, Marshall has only received 2 complaints of forced labor and more than 10 complaints of child recruitment. Marshall attributed the fewer forced labor complaints to the upcoming referendum, noting that many of the ILO facilitators were democracy activists who could be working on the "Vote No" campaign rather than labor issues, or were keeping a low profile. Child soldier cases remain a problem, but parents remain willing to travel to Rangoon to file a formal complaint, he stated.

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#### GOB Putting Up Roadblocks

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15. (C) Since the extension of the ILO-GOB Supplementary Understanding on Forced Labor in late February (Ref A), the ILO has submitted 12 cases to the GOB for action and is waiting to assess 4 additional cases. Marshall had planned two labor assessment trips in April, both of which were approved by the Ministry of Labor in February. However, he recently received a letter from Minister of Labor Aung Kyi, stating that the ILO should postpone these trips until after the May 10 referendum. Marshall reluctantly agreed to delay the trips until the second week of May because he recognized that if he traveled without permission, the GOB would send officials to the areas to interrogate anyone he met with. This happened after his last trip to Magwe in late February, Marshall noted (Ref B). While the GOB did not threaten or take action against any of his contacts, they inquired about the conversation topics. "The GOB is afraid of the unknown; when I travel without a government liaison officer, they become much more concerned with whom I talk to and what I address. Officials are afraid I will encourage people to form labor unions and become politically active," he declared.

16. (C) In addition to restricting his travel, the Ministry of Labor has become more difficult to deal with on forced labor cases, Marshall noted. They carefully scrutinize each complaint, using any information discrepancies (including typos or spelling mistakes) as justification to return the case to the ILO for clarification. Marshall intimated that Deputy Minister for Labor General Tin Tun was behind the policy shift, as he lacked a basic understanding of labor principles and has been unwilling to work directly with the ILO in the past (Ref B). Additionally, the Director General for Labor cancelled two meetings with Marshall this month, stating that he was too busy getting ready for the referendum

to meet. Marshall plans to raise the issue with Minister of Labor Aung Kyi in mid-May, and will include this in his report to the ILO for the upcoming annual ILO Convention in June.

#### Update on Imprisoned Labor Activists

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17. (C) Marshall confirmed that the Supreme Court had yet to decide on the fate of the six labor activists arrested after attending a labor conference at the American Center last May.

While Ministry of Labor officials told ILO representatives that the Supreme Court would hear the labor activists' appeal on March 6 (before the last ILO Governing Body meeting) (Ref B), the Court postponed the hearing until just last week. The Supreme Court has now heard the appeal arguments, but has yet to issue its final decision on the fate of the six activists. Several lawyers told Marshall that the Court would deliberate for at least 15 days, but could take several months to make a decision. Marshall commented that the GOB would likely try to use this case to argue that Burma has a viable judicial system, capable of resolving judicial complaints. He was unsure whether the Supreme Court would issue its decision before the Annual ILO Conference in June, but noted that he planned to send a letter to the Ministry of Labor urging quick resolution.

#### Comment

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18. (C) The GOB has made some efforts to address forced labor cases on the civilian side, including conducting joint investigations with the ILO and prosecuting three forced labor perpetrators in 2007. However, to address the causes

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of forced labor, one must look toward the military, which is outside the purview of both the ILO and the Ministry of Labor. Educating officers about forced labor and forced child labor is just the first step. Military recruiters facing demands for more soldiers will continue to look to children, regardless of whether they violate fair labor principles. As long as the military has impunity from child soldier and forced labor recruitment, the practice will continue. It will take civilian governments before we can expect any change to happen.

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